

SUBCOMMITTEE: SUBCOMMITTEE #1

HOUSE BILL NO. 2170

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice

on _____)

(Patron Prior to Substitute--Delegate Brewer)

A BILL to amend the Code of Virginia by adding a section numbered 18.2-429.1, relating to false caller identification information; penalty.

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 18.2-429.1 as follows:****§ 18.2-429.1. False caller identification information; penalty.****A. For the purposes of this section:**

"Caller identification information" means data that identifies the identity of the caller or the caller's telephone number to the recipient of a telephone call or to the recipient's telephone network.

"False caller identification information" means data that misrepresents the identity of the caller or the caller's telephone number to the recipient of a telephone call or to the recipient's telephone network.

B. Any person who, with the intent to defraud, intimidate, or harass, causes a telephone to ring or engages in conduct that results in the display of false caller identification information on the called party's telephone is guilty of a Class 3 misdemeanor. A second or subsequent conviction under this subsection is punishable as a Class 2 misdemeanor if the prior conviction occurred before the date of the offense charged.

C. This section shall not apply to:**1. The blocking of caller identification information;**

2. Any law-enforcement agencies or any law-enforcement officer while he is engaged in the performance of his official duties;

3. Any intelligence or security agency of the federal government or any employee of such agency while he is engaged in the performance of his official duties; or

